

11 November 2019

## Mexico: Fredy García, spokesperson of CODEDI, detained

On 6 November 2019, human rights defender and spokesperson of CODEDI, **Fredy García**, was detained by state investigation agents as he made his way to a meeting with public officials in Oaxaca.

The [Committee for the Defence of Indigenous Peoples \(Comité de Defensa de los Pueblos Indígenas\)](#) (CODEDI) is an organisation that has a long-term commitment to the promotion of indigenous communities' rights to land, autonomy and self-determination. It focuses on defending communities from human rights violations committed in the context of hydroelectric and mining projects in the state of Oaxaca, Mexico. CODEDI has worked for more than twenty years on the promotion and protection of human rights in fifty indigenous communities in various regions in the state of Oaxaca.

On Wednesday 6 November 2019 at 18:00, Fredy García and **Celerino Guisael Martínez Castro**, both members of CODEDI, were driving to a meeting to which they were invited by government officials, when they were arbitrarily detained by state investigation agents. Police claimed the arrest was in relation to events that occurred a few weeks ago in the south of Oaxaca where a state investigation agent was shot dead. Celerino Guisael Martínez Castro was released in the early hours of 7 November 2019 after spending more than eight hours in an undisclosed location. Fredy García spent eight hours in incommunicado detention, and is being charged with "premeditated injury," and "aggravated robbery".

Front Line Defenders expresses deep concern about the ongoing arrests of CODEDI members in Oaxaca under fabricated charges. In February 2019, human rights defender [Froylán González](#) was illegally detained by officials for 48 hours while participating in a peaceful protest organised by the indigenous community of Santiago Xanica for the right to self-determination. Froylan Gonzalez spent three day in the custody of the Oaxaca State Police, during which time he suffered ill-treatment.

Front Line Defenders believes that these incidents are part of a broader strategy of intimidation and violence against environmental and indigenous rights defenders, and that the use of fabricated charges has become an effective strategy to intimidate those working to defend those rights in Oaxaca. In this context, human rights defenders have also been killed, such as [Noel Castillo Aguilar](#), another member of CODEDI, who was shot in a taxi on his way home in 2018. Investigations have not shown progress in identifying the perpetrators.

### Front Line Defenders urges authorities in Mexico to:

1. Drop the charges against Fredy Garcia and immediately release him from detention;
2. Initiate an immediate, thorough and impartial investigation into the false allegation made against human rights defender Fredy Garcia, in order to guarantee his protection and release, publishing the results and bringing those responsible to justice in accordance with international standards;
3. Take all necessary measures to guarantee the protection of the members of CODEDI, guaranteeing their security and physical and psychological integrity;

4. Ensure that all human rights defenders in Mexico are able to conduct their peaceful and legitimate human rights activities without restrictions and free from harassment, threats and retaliation

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 6: *“Everyone has the right, individually and in association with others: (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”*; and Article 12 (2): *“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.”*

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson  
Executive Director